

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

In Re Application of Hamilton Attorney Docket No.: 42390.P9737

Application Number 09/677,261

Filed 9/30/2000

For METHOD AND APPARATUS FOR PROVIDING DYNAMICAL SCALABILITY

Group Art Unit: 2115 Examiner: Albert C. Wang

Address to:

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**

**AUG 26 2004**

**Technology Center 2100**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

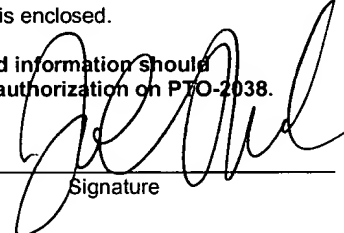
**Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest  
See 37 CFR 3.71, Statement under 37 CFR 3.73(b)  
is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

  
\_\_\_\_\_  
Signature

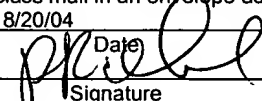
John P. Ward  
\_\_\_\_\_  
Typed or printed name

☐ attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 40,216 8/20/04  
(Reg. No.) Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest of their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 8/20/04   
\_\_\_\_\_  
Date Signature

Patricia Richard  
\_\_\_\_\_  
Typed or printed name

05/01/03